



STATE OF INDIANA

ERIC J. HOLCOMB, Governor

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BSU responded to the formal complaint by arguing the email was an informal courtesy notification and the actual notice was posted on January 20, 2017 at 1:30 p.m., 48 hours in advance of the meeting.

ANALYSIS

It is the intent of the Open Door Law ("ODL") that official action of public agencies be conducted and taken openly, unless otherwise expressly provided by statute, in order that the people may be fully informed. *See Indiana Code § 5-14-1.5-1*. Forty-eight (48) hours-notice of the meeting must precede commencement of the meeting.

The Open Door Law does not provide that email notice must be given with regard to a meeting of a governing body. Conspicuous physical notice posted at the location of the meeting is all that is required. It appears as if BSU took the appropriate steps to notice the meeting and followed-up with an email copy above and beyond the required notice.

CONCLUSION

Based on the foregoing, it is the Opinion of the Public Access Counselor the Board of Trustees of Ball State University have not violated the Open Door Law.

A handwritten signature in black ink, appearing to read "LHB", is written over a horizontal line.

Luke H. Britt
Public Access Counselor

Distribution:

Mr. Séamus P. Boyce, Esq.